REMARKS

Claims 1 - 6 remain active in this application and have been indicated as being allowable. Claims 7 - 10 have been canceled above without prejudice or disclaimer. No new matter has been introduced into the application.

Claims 7 - 10 have been rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter in three separate rejections stating different rationales and authorities. These grounds of rejection are respectfully traversed as being clearly in error and contrary to precedent and, particularly, as being moot in view of the cancellation of claims 7 - 10 above, without disclaimer or prejudice to pursuit of these claims in a continuing application.

Accordingly, it is respectfully submitted that the above amendment places the application in prima facie condition for allowance and should be entered for that reason as provided by 37 C.F.R. §1.116. Accordingly, it is respectfully requested that the application be allowed at an early date.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 09-0440 of International Business Machines Corporation, (Tucson).

Respectfully submitted,

Marshall M. Curtis Reg. No. 33,138

Whitham, Curtis & Christofferson, P. C. 11491 Sunset Hills Road, Suite 340 Reston, Virginia 20190 Customer Number: 30743

(703) 787-9400